

APPLICATION NO	PA/2015/1590
APPLICANT	Mr Kenneth Embleton, Stanholme Guest House
DEVELOPMENT	Planning application to vary condition 3 of PA/2014/0419 to allow for pop-up tapas and pop-up restaurant
LOCATION	27 Low Street, Haxey, DN9 2LA
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Establishes a presumption in favour of sustainable development that should be seen as a golden thread running through both plan-making and decision-taking process (paragraphs 6-10). Core Planning Principles; Section 1 – Building a strong competitive economy. Section 3 – Supporting a prosperous rural economy. Paragraph 28 – Supporting the provision and expansion of tourist and visitor facilities.

North Lincolnshire Local Plan: Policy S9 (Restaurants and Hot Food Takeaways) sets out the criteria which restaurants and takeaways have to comply with.

Policy DS1 (General Requirements) sets out the criteria against which all proposals in the development and use of land will be considered.

Policy T2 (Access to Development) – all new development should have a satisfactory access.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) supports thriving rural communities through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism.

Policy CS2 (Delivering More Sustainable Development) – a sequential approach to development will be adopted. Small-scale development within the defined development limits of rural settlements to meet identified local needs will be permitted. All future development will be required to contribute towards achieving sustainable development.

Policy CS3 (Development Limits) seeks to restrict development within defined settlement limits.

CONSULTATIONS

Highways: Permission should be temporary for 12 months so the highway authority can monitor the impact on the highway in the area with a record of the number of people attending each event.

Environmental Protection: No objection subject to limiting the number of pop-up restaurant/tapas nights to 15 per annum, the maximum number of non-residents attending the pop-up restaurant/tapas nights being limited to 10 persons and restrictions on operating hours.

PARISH COUNCIL

Objection. The licence should be limited to the residents and their guests and that the definition of premises means inside and outside. The parish council would not like to see the premises open to the general public being given access to the facilities. The planning permission was granted for a guesthouse only (no restaurant).

PUBLICITY

Adjoining properties have been notified. No letters of comment have been received.

ASSESSMENT

The proposal is to vary condition 3 of planning permission PA/2014/0419 which permitted the change of use of the building to a guesthouse in order to allow for pop-up tapas and pop-up restaurant. This would take place within one room of the existing guesthouse with a maximum of 10 guests that would be pre-booked online. The events would take place in the evenings or afternoons.

The main issues associated with this proposal are whether it is acceptable in planning policy terms, and if so, whether its impact on the amenity of the locality, neighbours and the highway network is acceptable.

The existing building is a large detached dwelling set back from the road with car parking provided within the site frontage. The building has been renovated to a high standard and operates as a guesthouse, with the applicants residing on the site. The site is located within the development boundary of Haxey, which is a rural settlement. The site is located between residential properties and opposite the site is a public house. The proposal will be linked to the existing guesthouse use as the pop-ups will take place inside the building. The proposal will therefore provide an additional facility within the area and will support the economic growth of this rural business which is supported within paragraph 28 of the National Planning Policy Framework (NPPF). The proposal also has the opportunity to support the local tourist industry by providing a restaurant type of facility in Haxey. The proposal therefore accords with advice given in the NPPF and policies CS1, CS2 and CS3 of the Core Strategy.

In terms of impact on the amenity of the locality, this will be limited as the pop-up restaurant/tapas will take place inside the existing guesthouse. The property is surrounded by residential properties to the north, east and west. To the south is a public house. Planning conditions are suggested to safeguard residential amenity by controlling the number of pop-up restaurants/tapas in a year, limiting the number of customers to the pop-up restaurants/tapas and controlling operating hours. In addition a temporary permission is

proposed to allow a further measure of control which will further safeguard residential amenity. The proposal will therefore accord with policies S9 and DS1 of the North Lincolnshire Local Plan.

In terms of highway issues, it is anticipated that vehicles will park within the parking area provided within the site frontage. This area of Haxey does have high levels of on-street car parking. As a result, the temporary permission will allow the impact of the proposal on Low Street/High Street to be accurately assessed. A temporary permission of 18 months is proposed as the applicant is unsure exactly when the pop-up restaurant/tapas will commence. If the temporary permission results in an increase in on-street parking to the detriment of the highway network, then this aspect can be reassessed in a future application. The applicant will need to keep a record of the date and time of the pop-up restaurants and the number of guests attending each event in order to support any further application they may apply for. The proposal, subject to a temporary permission, accords with policies T2, S9 and DS1 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The pop-up restaurant/tapas restaurant hereby permitted shall be discontinued on or before 9 September 2017 unless before that date an application has been made and permission granted by the local planning authority for an extension of the time limit imposed by this condition.

Reason

In order to assess the impact of the use on the highway network and the amenity of neighbours in accordance with policies T2 and DS1 of the North Lincolnshire Local Plan.

2.

The number of pop-up restaurants/tapas event nights shall be limited to 15 per annum.

Reason

In order to safeguard the amenity of residents in accordance with policy DS1 of the North Lincolnshire Local Plan.

3.

The pop-up restaurants/pop-up tapas shall end by 1am on any day. There shall be no deviation from these hours without the prior approval in writing of the local planning authority.

Reason

In order to safeguard the amenity of residents in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The maximum number of non-residents attending the pop-up restaurant/tapas nights shall be limited to 10 persons.

Reason

In order to safeguard the amenity of residents in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: N33-01 and N33-02.

Reason

For the avoidance of doubt and in the interests of proper planning.

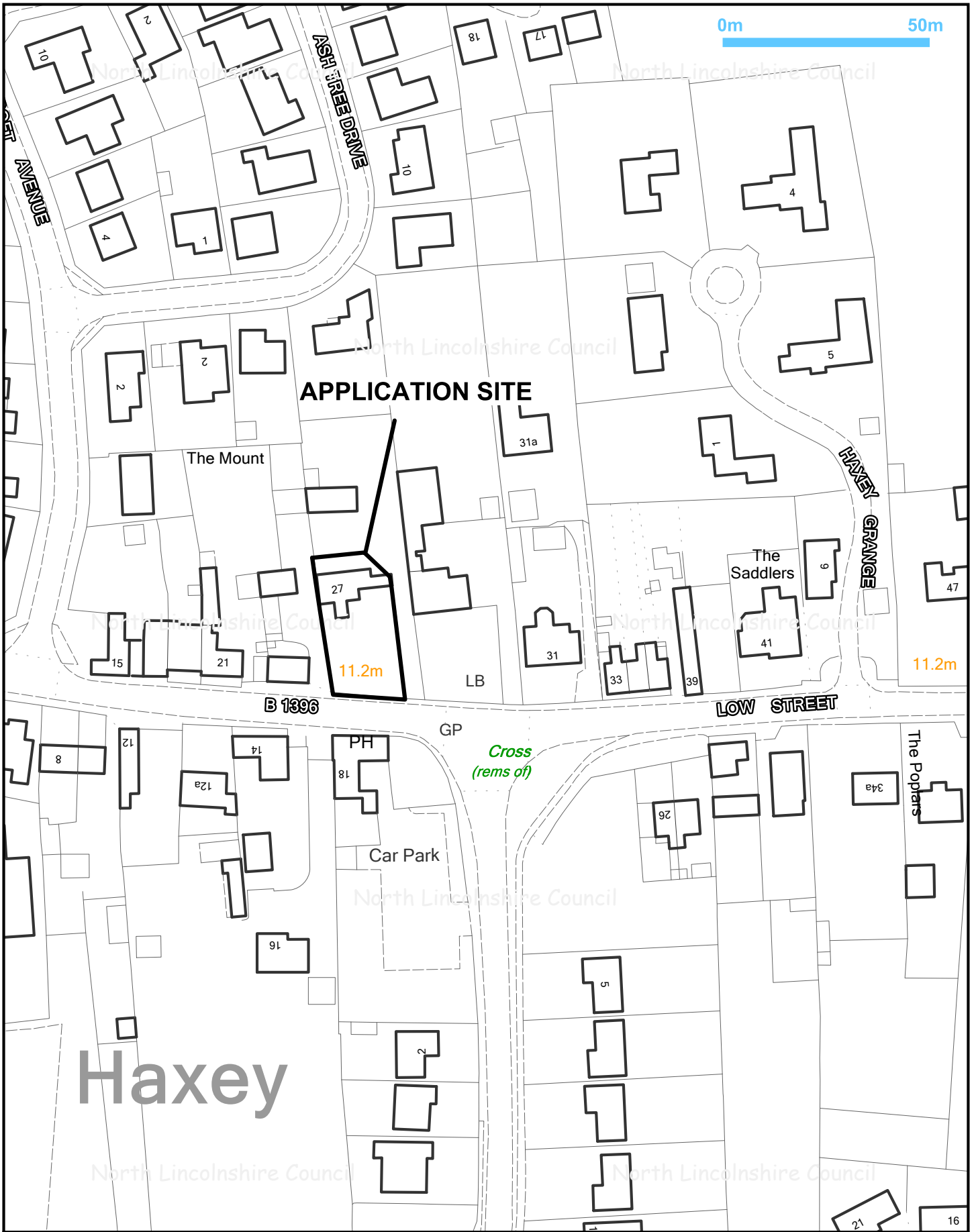
Informative 1

The applicant is advised to keep a record of the dates the pop-up restaurants take place, with the number of guests, in order to support any further application for the continuation of the use.

Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.



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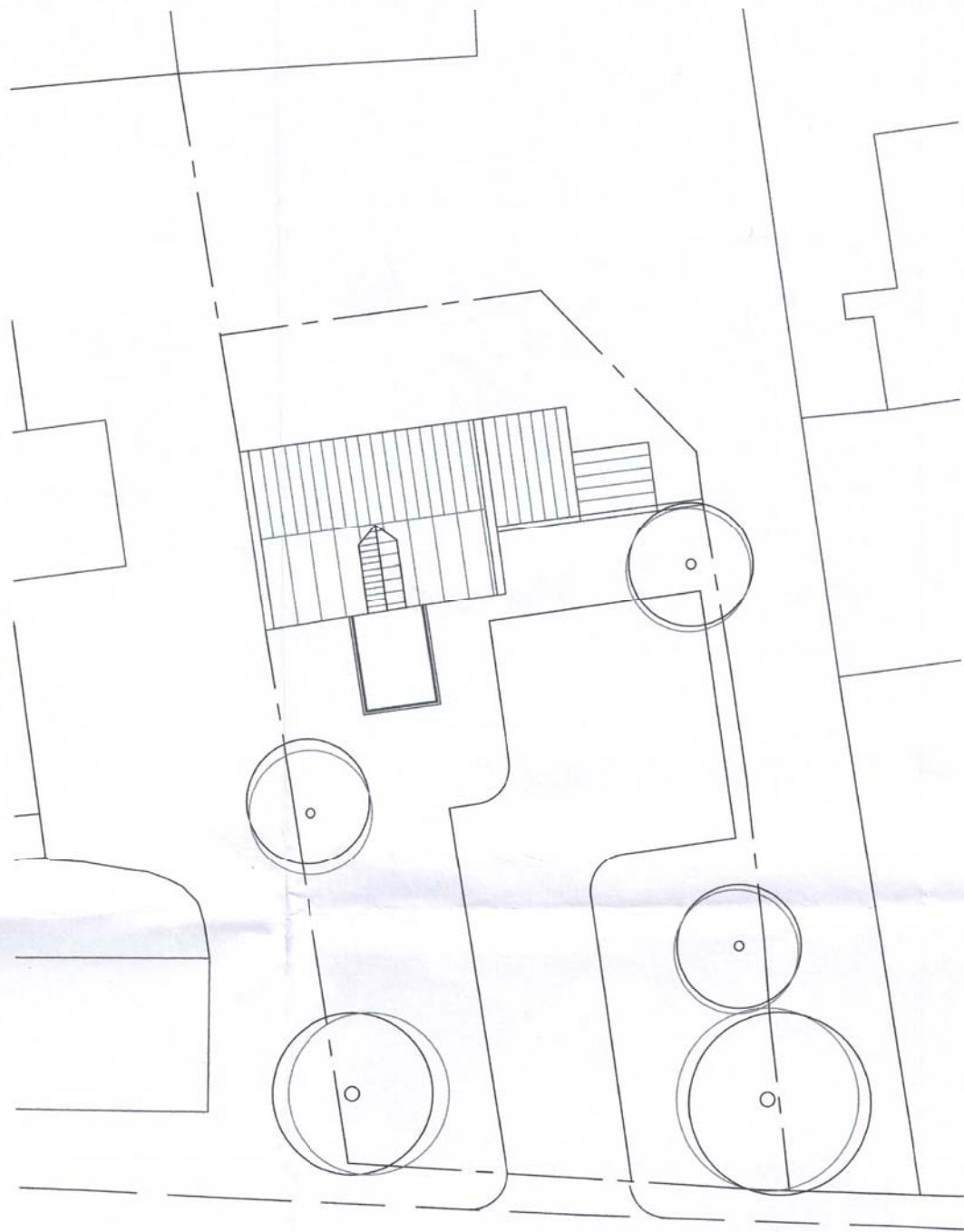


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PA/2015/1590 Existing and Proposed Layout - Not to scale



Proposed Site Layout



Existing Site Layout